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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	SP-1743.1 US
First Inventor	Bartling, et al.
Title	Tab System For A Metal-Air Electrochemical Cell
Express Mail Label No.	EU768240683US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 23]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings *(if filed)*
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 3] 1
5. Oath or Declaration [Total Pages 1]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional with Box 18 completed)*
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program *(Appendix)*
8. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement *(when there is an assignee)* Power of Attorney
11. English Translation Document *(if applicable)*
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____ / _____

Prior application information: Examiner _____ Group / Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label	020875 <i>(Insert Customer No. or Attach bar code label here)</i>	or <input type="checkbox"/> Correspondence address below
Name		
Address		
City	State	Zip Code
Country	Telephone	Fax

Name (Print/Type)	Russell H. Toye, Jr.	Registration No. (Attorney/Agent)	43,200
Signature	<i>Russell H. Toye, Jr.</i>		
Date	12/19/03		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)
\$1,072.00

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Bartling, et al.
Examiner Name	
Group Art Unit	
Attorney Docket No.	SP-1743.1 US

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																																					
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number 05-1325 Deposit Account Name Eveready Battery Company, Inc.				3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>Fee Code</td><td>Fee Code</td><td>Fee Description</td><td></td></tr> <tr><td>1051</td><td>130</td><td>2051 65 Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052 25 Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053 130 Non - English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812 2,520 For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804 920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805 1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251 55 Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>410</td><td>2252 205 Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>930</td><td>2253 465 Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,450</td><td>2254 725 Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>1,970</td><td>2255 985 Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>320</td><td>2401 160 Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>320</td><td>2402 160 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>280</td><td>2403 140 Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451 1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452 55 Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,300</td><td>2453 650 Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,300</td><td>2501 650 Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>470</td><td>2502 235 Design issue fee</td><td></td></tr> <tr><td>1503</td><td>630</td><td>2503 315 Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460 130 Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807 50 Processing fee under 37 CFR § 1.17(q)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806 180 Submission of Information Disclosure Statement</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021 40 Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>750</td><td>2809 375 Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>750</td><td>2810 375 For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>750</td><td>2801 375 Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802 900 Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="4">Other fee (specify) _____</td></tr> <tr> <td colspan="4">SUBTOTAL (1) (\$) \$770.00</td> </tr> <tr> <td colspan="4">2. 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SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Russell H. Toye, Jr.	Registration No. (Attorney/Agent)	43,200	Telephone	(440) 835-7343
Signature	<i>Russell H. Toye, Jr.</i>			Date	12/19/03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this paper, together with all enclosures identified herein, is being deposited with the United States Postal Service as Express Mail, using label No. EU768240683US, addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

December 22, 2003
Date

Shirley O'Donnell
Shirley O'Donnell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : **Bartling, et al.**
For : **Tab System For A Metal-Air Electrochemical Cell**

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith is the above-identified patent application, comprising the following parts:

- 1) Utility Patent Application Transmittal
- 2) Fee Transmittal FY 2003 (in duplicate)
- 3) 17 Pages of Specification
- 4) 5 Pages of Claims (32 claims)
- 5) 1 Page of Abstract
- 6) 3 Sheets of Drawings
- 7) Declaration and Power of Attorney
- 8) Recordation Form Cover Sheet (in duplicate) and Assignment
- 9) Information Disclosure Statement, PTO Form 1449, and References
- 10) Return Receipt Post Card

Date: December 22, 2003

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